

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA**

Albert C. Franklin

Action No.: 5-06-cv-00048

-vs-

Date: 6/19/07

Judge: Glen E Conrad

Home Depot USA

Court Reporter: Tammy Pacheco, Cavalier Rptg

LIST OF WITNESSES

Attorney

Attorney

Thomas Oxenham, Esq.

Randall Perdue, Esq.

PLAINTIFF/GOVERNMENT:

DEFENDANT:

1. Albert C Franklin
2. (No exhibits marked/admitted)
3. _____
4. _____

1. _____
2. _____
3. _____
4. _____

PROCEEDINGS:

10:00 - 11:00 am (1 hour)

Parties present and by counsel/corporate rep for 7 member civil jury trial.

Jury Voir Dire - Impanelled & Sworn.

11:00 - 11:10 am Morning Recess

11:10 am - 12:45 pm (1:35)

Opening Statements by parties.

Pltf begins adducing evidence - No exhibits marked. Witness #1 - Albert C. Franklin

Following cross by deft - Court removes jury and takes up Motion for Jgm as matter of law in light of defendant's testimony and court's earlier ruling as to issue remaining for trial. GRANTED

Jury returned and released.

TOTAL TIME IN COURT: 2 hours 35 mins.

Judgment as matter of law for defendant.

Initials of Deputy Clerk _____